

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**R.M.S. TITANIC, INC.,
successor-in-interest to
Titanic Ventures, limited partnership,
Plaintiff,**

v.

Civil Action No. 2:93cv902

**THE WRECKED AND ABANDONED VESSEL,
ITS ENGINES, TACKLE, APPAREL,
APPURTENANCES, CARGO, ETC., LOCATED
WITHIN ONE (1) NAUTICAL MILE OF A POINT
LOCATED AT 41 43/ 32' NORTH LATITUDE
AND 49 56' 49" WEST LONGITUDE,
BELIEVED TO BE THE R.M.S. TITANIC
in rem,**

Defendant.

**STATUS REPORT
Re: AUGUST 30, 2018 BANKRUPTCY COURT HEARING**

The United States, as *amicus*, and on behalf of its National Oceanic and Atmospheric Administration ("NOAA"), provides the following status report:

On August 30, 2018, the Bankruptcy Court for the Middle District of Florida conducted an evidentiary hearing to consider: (1) the Equity Committee's Disclosure Statement and Chapter 11 Plan ("EC Plan"); (2) the Unsecured Creditors' Committee ("UCC") Disclosure Statement and Chapter 11 Plan, submitted in conjunction with the National Maritime Museum ("UCC/NMM Plan"); and (3) the *Debtors' Motion for Entry of an Order Approving Competitive Bidding and Sale Procedures . . .* ("Debtors' Sale Motion"). The Bankruptcy Court took the matters under advisement, and has not yet issued a decision.

Several significant developments occurred during the hearing. First, the Stalking Horse Purchaser increased its bid price from \$17.5 million to \$19.5 million under the Debtors' Sale

Motion. Following that announcement, the UCC advised the Bankruptcy Court that it would now support the Debtors' Sale Motion.

Second, 417 Fifth Avenue Real Estate, LLC, the landlord for Debtors' New York City exhibition space and Debtors' largest unsecured creditor, advised the Bankruptcy Court that it would oppose and vote against both the UCC/NMM Disclosure Statement and Plan and the EC's Disclosure Statement and Plan. RMST believes this unsecured creditor's opposition effectively blocks approval and confirmation of either the EC's Plan or the UCC/NMM's Plan by the Bankruptcy Court. *See* ECF No. 485 at 4.

On September 3, 2018, NMM filed a post-hearing statement asking that the Bankruptcy Court "hold in abeyance its decision with respect to the [UCC/NMM] Disclosure Statement until further order of this Court . . . [and] without prejudice to the Court's current consideration of [Debtors'] bidding procedures and Equity Committee Plan." *See* Exhibit 1 at 2. NMM further acknowledged that, in light of 417 Fifth Avenue's stated position concerning the two Plans, further action on the UCC/NMM Plan would be futile. *Id.*

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September, 2018, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

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